

requesting that funds be transferred to the seller, based on the detailed payment statement.

29. (TWICE AMENDED) A witness system, comprising:
 first computing means for making document data;
 second computing means for confirming the contents of the document data; and
 third computing means for performing notarization of the confirmed document data and storing in a memory the notarized document data.

34. (TWICE AMENDED) An account settlement system, comprising:
 payment request means for making a detailed payment statement of a payment object and sending a payment request; and
 comparison means for comparing the detailed payment statement with a seller sales record.

REMARKS

Claims 1-35 are pending in this application and have been rejected. Claims 1, 7, 15, 17, 25-29, and 34 have been amended in this Response. No new matter is being presented, and approval and entry are respectfully requested.

Entry of Amendment Under 37 C.F.R. §1.116:

Applicants request entry of this Rule 116 Response because it is believed that the amendment of claims 1, 7, 15, 17, 25-29, and 34 puts this application into condition for allowance. The amendments were not earlier presented because the Applicants believed in good faith that the cited prior art did not disclose the present invention as previously claimed.

The Manual of Patent Examining Procedures sets forth in Section 714.12 that "any amendment that would place the case either in condition for allowance or in better form for appeal may be entered." Moreover, Section 714.13 sets forth that "the Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent

Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

Rejection Under 35 U.S.C. §102

The Examiner rejected claims 1-35 under 35 U.S.C. §102(e) as being anticipated by Walker et al. (U.S. Patent No. 5,794,207). Applicants respectfully traverse this rejection for the reasons presented below.

Claim 1 of the present invention, as amended, specifies that a buyer generates a payment document based on records sent from a seller to the buyer, that the buyer sends the payment document to a witness that forwards the payment document to the seller, that the seller confirms that the contents of the seller records are in agreement with the contents of the payment document, and that the witness certifies the payment document as being accurate. Independent claims 7, 17, 25-29, 34, and 35 recite similar language. Independent claim 15 also recites similar language, except that claim 15 relates to set-off accounting when the buyer and seller conduct mutual trading (i.e., company A buys from company B and company B buys from company A).

In the present invention, a buyer sends data that the buyer wants to have confirmed to a witness. The data are based on, for example, a delivery voucher sent to the buyer from a seller. The witness receives the request, notes that it has received a request, and then sends the request containing the data to the seller. If the seller determines that the data are correct, the seller sends a confirmation response to the witness. The witness then certifies the data by sending a witness confirmation response to both the buyer and the seller. The witness stores the confirmed data in a receipt detail table.

If the seller determines that the data are not correct, the seller informs the witness why the data are incorrect, and the witness forwards this information to the buyer. The buyer makes corrections and sends the corrected data to the witness, which updates the receipt detail table.

In item 4 on page 3 of the Office Action, the Examiner asserted that column 19, lines 54-60 of the Walker reference disclose that a buyer receives documents (i.e., a CPO) from a seller and then forwards the documents to a central computer. The cited portion of Walker discloses that the seller transmits a seller response directly to the buyer, and that the buyer sends the seller response to the central controller for verification and authentication.

Assuming, *arguendo*, that the seller response is a seller record, such as a delivery voucher, that the delivery voucher is sent to the buyer, and that the buyer sends the delivery voucher to the central controller, then Walker still does not anticipate the present invention. These operations are only a portion of the operations performed by the present invention. In the present invention, when the seller sends a delivery voucher to the buyer, the buyer creates another document (i.e., a payment document) based on the delivery voucher. The buyer then forwards this new document to the witness. The witness sends the new document to the seller for confirmation of the contents of the new document. If the contents of the new document are correct, the seller sends a confirmation response to the witness, which then sends witness certification to both the buyer and the seller. Thus, Walker does not teach all the features of the present invention.

On page 4 of the Office Action, the Examiner asserted that the counteroffer procedure disclosed in column 9, lines 44-51; column 13, lines 30-35; and column 22, line 39 to column 23, line 18 provides another situation in which the buyer receives offers from a seller and submits the offers to the central controller.

Column 9, lines 44-51 of Walker disclose that the seller sends a counteroffer to the central controller, not the buyer, and that the central controller forwards the counteroffer to the buyer. Also, column 22, line 39 to column 23, line 18 of Walker also discloses that a seller sends a counteroffer to the central controller (col. 22, lines 63-66), which forwards the counteroffer to the buyer (col. 22, line 66 to col. 23, line 5). Column 13, lines 30-35 of Walker merely describe the structure of the counteroffer database.

Also, the seller in Walker revises the original offer from the buyer when presenting a counteroffer. In contrast, the buyer of the present invention makes corrections to a document generated by the buyer. Thus, application of Walker to the present invention would result in the seller, rather than the buyer, making changes to the contents of a document received for confirmation by the seller.

Further, the relationship between the buyer and seller of Walker is based on a single transaction, such as the purchase of an airline ticket. In contrast, the relationship between the buyer and seller in the present invention is based on a series of on-going transactions, and a document generated by the buyer and sent to the seller via the witness may be based on more than one delivery voucher received by the buyer.

Therefore, it is submitted that independent claims 1, 7, 15, 17, 25-29, 34, and 35 patentably distinguish over the prior art.

As for the dependent claims, the dependent claims depend from the above-discussed independent claims and are patentable over the prior art for the reasons discussed above.

CONCLUSION

It is submitted that the reference does not teach the present claimed invention. Thus, claims 1-35 are deemed to be in a condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Finally, if there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

Please **AMEND** the following claims:

1. (TWICE AMENDED) A witness system, comprising:

[confirmation] payment document making means for making a [confirmation documents] payment document aggregating [for each of] one or more buyer records, the payment document being based on [a] one or more seller [record, or] records[,] sent from a seller, and the buyer records corresponding to the seller records;

a witness receiving the payment document;

[sending means for sending to the witness documents prepared according to said confirmation document making means, and for sending documents from said witness to said seller ;]

confirmation means for confirming by [said] the seller that the content of [said] each of the seller [record, or] records[,] is in agreement with the content of the payment document [said documents] sent to the seller from the witness, [according to said sending means] wherein said witness certifies and registers the payment document as being accurate once said confirmation means confirms the payment document;

[a witness confirming that said documents are accurate, when said agreement is confirmed according to said confirmation means ;] and

memory means for storing in memory documents [confirmed] registered by said witness.

7. (TWICE AMENDED) An account settlement system, comprising:

notarization document making means for making notarization documents for each of one or more buyer records, the buyer records being based on one or more seller records sent from a seller to the buyer;

sending means for sending to a notarization authority the notarization documents [made according to said notarization document making means], and for sending [said] the notarization documents from [said] the notarization authority to [a] the seller;

confirmation means for confirming by [said] the seller whether the contents of [said] the seller records are in agreement with the contents of the notification documents [records sent according to said sending means];

a witness having [a] the notarization authority and certifying that [said] the notification documents are accurate after the seller confirms that the seller records agree with the notarization documents[, when said substantive agreement is confirmed according to said confirmation means];

memory means for storing in a memory the notarization documents [notarized] certified by said witness;

detailed payment statement making means for making, with reference to [said] the notarization documents stored in the memory [according to said memory means], a detailed payment statement, upon which payment to [said] the seller by [said] the buyer is to be based;

funds transfer request means for requesting a transfer of funds, based on [a] the detailed payment statement [made according to said detailed payment statement making means]; and

notification means for notifying said witness of a transfer of funds, when funds are transferred to [said] the seller based on [a] the funds transfer request [according to said funds transfer request means].

15. (TWICE AMENDED) An account settlement system utilizing a witness system, comprising:

notarization document making means for making notarization documents for each of one or more seller records, the seller records being based on one or more buyer records sent from a buyer to the seller [based on seller records sent from a seller];

sending means for sending to a notarization authority the notarization documents [made according to said notarization document making means], and for sending [said] the notarization documents from [said] the notarization authority to [a] the buyer;

confirmation means for confirming by [said] the buyer whether the contents of [said] the buyer record are in agreement with the contents of [said] the notarization documents [sent according to said sending means];

a witness having the notarization authority and certifying that [said] the notarization documents are accurate[, when said substantive agreement is confirmed according

to said confirmation means] after the buyer confirms that the buyer records agree with the notarization documents;

memory means for storing in a memory the notarization documents [notarized] certified by said witness;

detailed payment statement making means for making, by said buyer, with reference to [said] the notarization documents stored in the memory [according to said memory means], a detailed payment statement upon which a set-off payment by the [buyer] seller to the [seller] buyer is based; and

request means for requesting a financial institution to issue a check to [said] the buyer, based on [a] the detailed payment statement [made according to said detailed payment statement making means].

17. (TWICE AMENDED) An account settlement system utilizing a witness system, comprising:

notarization document making means for making notarization documents for each of one or more seller records sent from a seller to a buyer[, based on seller records sent from a seller];

sending means for sending to a notarization authority the notarization documents [made according to said notarization document making means], and for sending [said] the notarization documents from [said] the notarization authority to [a] the seller;

confirmation means for confirming by [said] the seller whether the contents of [said] the seller records are in agreement with the contents of the notification documents [records sent according to said sending means];

a witness having [a] the notarization authority and certifying that [said] the notification documents are accurate after the seller confirms that the seller records agree with the notarization documents[, when said substantive agreement is confirmed according to said confirmation means];

memory means for storing in a memory the notarization documents [notarized] certified by said witness;

detailed payment statement making means for making, with reference to [said] the notarization documents stored in the memory [according to said memory means], a detailed

payment statement, upon which payment to [said] the seller by [said] the buyer is to be based;
and

request means for requesting a financial institution to issue a note to [said] the
buyer.

25. (TWICE AMENDED) A method for document confirmation by a witness system,
comprising:

making confirmatory documents for each of one or more seller records[, based
on a seller record] sent from a seller to a buyer;

sending to a witness the confirmatory documents [made according to said
confirmatory document,] and [for] sending [said] the confirmatory documents from [said] the
witness to [said] the seller;

confirming by [said] the seller whether the contents of [said] the seller [record]
records are in agreement with the contents of [said] the confirmatory documents [sent according
to said sending to a witness];

[confirming] certifying, by the witness, [when confirming substantive agreement
according to said confirming by said seller,] that [said] the confirmatory documents are accurate,
and [notifies said] notifying the buyer and [said] the seller of [said confirmation] the certification;
and

storing [said confirmed] the certified documents in a memory.

26. (TWICE AMENDED) An account settlement method utilizing a witness system,
comprising:

making notarization documents for each of one or more seller records[, based on
a seller record] sent from a seller to a buyer;

sending to a notarization authority the notarization documents [made according
to said making notarization documents];

confirming by [said] the seller whether the contents of [said] the seller [record]
records are in agreement with the contents of [said] the notarization documents [sent according
to said sending to a notarization authority];

notarizing, by a witness having the notarization authority, that [said] the
documents are accurate and notifying [a] the buyer and [said] the seller of [said] the

notarization, after the seller confirms that the seller records agree with the notarization documents [when said substantive agreement is confirmed according to said confirming by said seller];

storing in a memory [said] the notarized documents;

making, with reference to [said] the stored notarization documents, a detailed payment statement upon which is based payment by [said] the buyer to [said] the seller; and

requesting the transfer of funds to [said] the seller, based on the detailed payment statement.

27. (TWICE AMENDED) A computer-readable memory medium containing a program causing a computer to execute document confirmation processes performed by a witness system, and comprising a process of:

making, for each of one or more seller records sent from a seller to a buyer, a confirmatory document[, based on a seller record sent from a seller];

sending, to a witness, the confirmatory document [documents made according to said making a confirmatory document], and sending [said documents] the confirmatory document from the witness to the [to a buyer and said] seller;

confirming by [said] the seller whether the contents of [said] the seller [record] records are in agreement with the contents of [said documents] the confirmatory document [sent according to said sending to a witness];

certifying [confirming] by the witness that [said documents are] the confirmatory document is accurate, and notifying [said] the buyer and [said] the seller of [said confirmation] the certification, after the seller confirms that the seller records agree with the confirmatory document [when said substantive agreement is confirmed according to said confirming by said seller]; and

storing in a memory [said confirmed documents] the certified document.

28. (TWICE AMENDED) A computer-readable memory medium containing a program causing a computer to execute an account settlement process using a witness system, and comprising a process of:

making, for each of one or more seller records sent from a seller to a buyer, a notarization document[, based on a seller record sent from a seller];

sending₁ to a notarization authority, the notarization document [documents made according to said making a notarization document], and sending [said documents] the notarization document from [said] the notarization authority to [said] the seller;

confirming₁ by [said] the seller₁ whether the contents of [said] the seller [record] records and the contents of [said documents sent according to said sending to a notarization authority] the notarization document are in agreement;

notarizing₁ by a witness having the notarization authority, that [said documents are] the notarization document is accurate₁ and notifying [a] the buyer and [said] the seller of the notarization, after the seller confirms that the seller records agree with the notarization document [said notification, when said substantive agreement is confirmed according to said confirming by said seller];

storing₁ in a memory, [said] the notarized [documents] document;

making, with reference to [said] the [stored notarization documents] notarized document, a detailed payment statement upon which is based payment by [said] the buyer to [said] the seller; and

requesting that funds be transferred to [said] the seller, based on the detailed payment statement.

29. (TWICE AMENDED) A witness system, comprising:

first computing means for making document data;

second computing means for confirming the contents of [said] the document data; and

third computing means for performing notarization of the confirmed document data and storing in a memory [said confirmed] the notarized document data[, or for performing notarization of said document data].

34. (TWICE AMENDED) An account settlement system, comprising:

payment request means for making a detailed payment statement of a payment object and sending a payment request; and

comparison means for comparing [a] the detailed payment statement [transmitted according to said payment request means] with a seller[-side] sales record.